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(Original Signature of Member)

107TH CONGRESS
1ST SESSION

H. R. _____

IN THE HOUSE OF REPRESENTATIVES

Mr. GILCHREST introduced the following bill; which was referred to the
Committee on _____

A BILL

To reauthorize the Coastal Zone Management Act of 1972,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Coastal Resources
5 Conservation Act of 2001”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:



- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Amendment of Coastal Zone Management Act of 1972.
- Sec. 4. Findings.
- Sec. 5. Policy.
- Sec. 6. Definitions.
- Sec. 7. Administrative grants.
- Sec. 8. Coastal resources improvement grants.
- Sec. 9. Coastal Zone Management Fund.
- Sec. 10. Repeal.
- Sec. 11. Coastal services.
- Sec. 12. Review of performance.
- Sec. 13. Amendments relating to Walter B. Jones Awards for Excellence in Coastal Zone Management.
- Sec. 14. National Estuarine Reserve System.
- Sec. 15. Reports.
- Sec. 16. Authorization of appropriations.
- Sec. 17. Technical corrections.
- Sec. 18. Coastal zone management outcome indicators and monitoring and performance evaluation system.

1 **SEC. 3. AMENDMENT OF COASTAL ZONE MANAGEMENT ACT**
2 **OF 1972.**

3 Except as otherwise expressly provided, whenever in
4 this Act an amendment or repeal is expressed in terms
5 of an amendment to, or repeal of, a section or other provi-
6 sion, the reference shall be considered to be made to a
7 section or other provision of the Coastal Zone Manage-
8 ment Act of 1972 (16 U.S.C. 1451 et seq.).

9 **SEC. 4. FINDINGS.**

10 Section 302 (16 U.S.C. 1451) is amended—

11 (1) by striking “finds that—” and inserting
12 “finds the following:”;

13 (2) in paragraph (k), by striking “the uses of
14 adjacent lands which drain into the coastal zone”
15 and inserting “coastal watersheds”;



1 (3) in paragraph (f), by striking the semicolon
2 at the end and inserting a period; and

3 (4) by redesignating paragraphs (a) through
4 (m) in order as paragraphs (1) through (13).

5 **SEC. 5. POLICY.**

6 Section 303 (16 U.S.C. 1452) is amended—

7 (1) in paragraph (2) by striking “development
8 and”;

9 (2) in paragraph (2)(A) by striking “protec-
10 tion” and inserting “protection, and where appro-
11 priate the restoration, and enhancement,”;

12 (3) in paragraph (2)(B) by striking the period
13 at the end and inserting a comma;

14 (4) in paragraph (2)(J) by striking “State” the
15 second place it appears and inserting “State and
16 Federal fish”;

17 (5) in paragraph (2)(K) by striking “and” after
18 the semicolon;

19 (6) in paragraph (5) by striking “and” after
20 the semicolon;

21 (7) in paragraph (6) by striking the period at
22 the end and inserting “; and”; and

23 (8) by adding at the end the following:

24 “(7) to use the National Estuarine Reserve Sys-
25 tem established under section 315 to improve the



1 understanding, stewardship, and management of
2 coastal and estuarine resources, including the devel-
3 opment, application, and transfer to local, State, and
4 Federal resources managers of innovative coastal
5 and estuarine resources management technologies
6 and techniques.”.

7 **SEC. 6. DEFINITIONS.**

8 Section 304(2) (16 U.S.C. 1453(2)) is amended by
9 inserting “, ecological,” after “biological”.

10 **SEC. 7. ADMINISTRATIVE GRANTS.**

11 (a) IN GENERAL.—Section 306 (16 U.S.C. 1455) is
12 amended by striking so much as precedes subsection (b)
13 and inserting the following:

14 “ADMINISTRATIVE GRANTS

15 “SEC. 306. (a) IN GENERAL.—The Secretary may
16 make grants to any coastal State for the purpose of ad-
17 ministering, amending, or modifying that State’s manage-
18 ment program, if the State matches any such grant—

19 “(1) except as provided in paragraph (2), in a
20 ratio of 1 to 1 of Federal-to-State contributions; or

21 “(2) for programs approved after October 1,
22 2001, in a ratio of—

23 “(A) 4 to 1 for the first fiscal year;

24 “(B) 2.3 to 1 for the second fiscal year;

25 “(C) 1.5 to 1 for the third fiscal year; and



1 “(D) 1 to 1 for each fiscal year there-
2 after.”.

3 (b) ALLOCATION.—Section 306(c) (16 U.S.C.
4 1455(c)) is amended to read as follows:

5 “(c) ALLOCATION OF GRANTS TO COASTAL
6 STATES.—(1) Grants under this section shall be allocated
7 to coastal States with approved management programs
8 based on rules and regulations promulgated by the Sec-
9 retary that take into account the extent and nature of the
10 shoreline and area covered by such a program, the popu-
11 lation of such area, and other relevant factors.

12 “(2)(A) The Secretary shall establish, after con-
13 sulting with the coastal States, maximum and minimum
14 grants for any fiscal year to promote equity between coast-
15 al States and effective coastal management.

16 “(B) In promoting equity, the Secretary shall con-
17 sider the overall change in grant funding under this sec-
18 tion from the preceding fiscal year and minimize the rel-
19 ative increases or decreases among all the eligible coastal
20 States.

21 “(3)(A) The Secretary shall ensure that each eligible
22 coastal State receives increased funding under this section
23 in any fiscal year for which the total amount appropriated
24 to carry out this section is greater than the total amount



1 appropriated to carry out this section for the preceding
2 fiscal year.

3 “(B) Subparagraph (A) shall not apply in any fiscal
4 year that is the first full fiscal year for which an eligible
5 State may receive assistance under this section.”.

6 **SEC. 8. COASTAL RESOURCES IMPROVEMENT GRANTS.**

7 Section 306A (16 U.S.C. 1455a) is amended—

8 (1) by striking subsections (a) and (b) and in-
9 serting the following:

10 “(a) DEFINITIONS.—For the purposes of this section:

11 “(1) The term ‘eligible coastal State’ means a
12 coastal State that, for any fiscal year for which a
13 grant is applied for under this section, has a man-
14 agement program approved under section 306.

15 “(2) The term ‘qualified local entity’ means—

16 “(A) any local government;

17 “(B) any areawide agency referred to in
18 section 204(a)(1) of the Demonstration Cities
19 and Metropolitan Development Act of 1966 (42
20 U.S.C. 334(a)(1);

21 “(C) any regional agency;

22 “(D) any interstate agency; and

23 “(E) any reserve established under section
24 315.



1 “(b) GRANT AUTHORITY.—The Secretary may make
2 a grant to any eligible coastal State for the purpose of—

3 “(1) carrying out coastal resource improvement
4 projects that—

5 “(A)(i) protect, restore, and enhance and,
6 where appropriate, provide public access to or
7 interpretation of, coastal resources of national
8 significance designated under section
9 306(d)(13); and

10 “(ii) preserve or restore conservation,
11 recreation, ecological, or historic resources lo-
12 cated in areas designated under section 306(9);
13 and

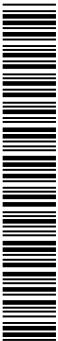
14 “(B) are designed and carried out in co-
15 operation with a qualified local entity, and will
16 be carried out in the coastal zone; or

17 “(2) developing or implementing a coastal wa-
18 tershed, multistate, or regional coastal ecosystem
19 management plan.”;

20 (2) in subsection (c)(2) by—

21 (A) striking subparagraph (C) and insert-
22 ing the following:

23 “(C) in the case of grants made for the
24 purpose described in subsection (b)(1), among
25 other activities—



1 “(i) reestablishment of the chemical,
2 physical, hydrologic, and biological features
3 and components;

4 “(ii) control of nonnative and invasive
5 species which impact such resources;

6 “(iii) reintroduction of native species,
7 including through such means as planting
8 or promoting natural succession;

9 “(iv) construction of reefs to promote
10 fish and shellfish production; or

11 “(v) development or implementation
12 of coastal watershed, multistate, or re-
13 gional coastal ecosystem management
14 plans;”; and

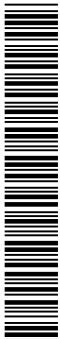
15 (B) in subparagraph (D) by inserting
16 “technical assistance, monitoring, assessment,”
17 before “engineering designs,”;

18 (3) in subsection (d)—

19 (A) in paragraph (1) by—

20 (i) striking “the project or purpose for
21 which such grants are awarded,” and in-
22 serting “projects, or develop or implement
23 plans under this section”; and

24 (ii) striking “according to” and all
25 that follows through the period and insert-



1 ing “in a ratio of Federal to State con-
2 tributions equal to 2 to 1.”;

3 (B) in paragraph (2) by striking “under
4 any other Federal program”, and inserting
5 “under section 104(d)(3) of Public Law 106–
6 457”; and

7 (C) by striking paragraph (3) and insert-
8 ing the following:

9 “(3) An application for a grant under this section
10 shall be submitted to the Secretary by the State agency
11 designated by the Governor of the State in accordance
12 with section 306(d)(6).

13 “(4) The Secretary shall allocate grants under this
14 section among coastal States based on rules and regula-
15 tions promulgated by the Secretary under section
16 306(c).”; and

17 (4) in subsection (f) by striking “regarding the
18 objectives of this section.” and inserting “that fur-
19 thers the implementation of a project referred to in
20 subsection (b)(1) or that facilitates developing or im-
21 plementing a plan referred to in subsection (b)(2).”.

22 **SEC. 9. COASTAL ZONE MANAGEMENT FUND.**

23 Section 308 (16 U.S.C. 1456a) is amended—

24 (1) in subsection (a) by striking paragraph (2)
25 and inserting the following:



1 “(2) Loan repayments made pursuant to this
2 subsection—

3 “(A) shall be retained by the Secretary and
4 deposited into the Coastal Zone Management
5 Fund established under subsection (b); and

6 “(B) subject to amounts provided in ap-
7 propriation Acts, shall be available to the Sec-
8 retary for purposes of this title and transferred
9 to the Operations, Research, and Facilities ac-
10 count to offset the costs of implementing this
11 title.”; and

12 (2) in subsection (b)—

13 (A) by striking paragraphs (2) and (3);
14 and

15 (B) by striking “(b)(1)” and inserting
16 “(b)”.

17 **SEC. 10. REPEAL.**

18 Section 309 (16 U.S.C. 1456b) is repealed.

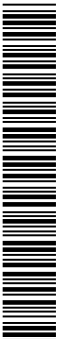
19 **SEC. 11. COASTAL SERVICES.**

20 Section 310 (16 U.S.C. 1456c) is amended—

21 (1) by striking so much as precedes subsection
22 (b) and inserting the following:

23 “TRAINING, EDUCATION, AND TECHNICAL SERVICES

24 “SEC. 310. (a) IN GENERAL.—The Secretary may
25 provide to other Federal agencies, State and local govern-
26 ments, Indian tribes, and other persons, training, edu-



1 cation, and technical services relating to the conservation
2 and management of ocean and coastal resources.”;

3 (2) in subsection (b) by inserting “COORDINA-
4 TION AND CONSULTATION.—” after “(b)”;

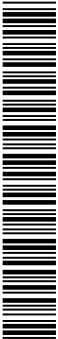
5 (3) by adding at the end the following:

6 “(c) ASSISTANCE FROM OTHER AGENCIES AND PER-
7 SONS.—(1) Each department, agency, and instrumentality
8 of the executive branch of the Federal Government may
9 assist the Secretary, on a reimbursable basis or otherwise,
10 in carrying out the purposes of this section, including the
11 furnishing of information to the extent permitted by law,
12 the transfer of personnel with their consent and without
13 prejudice to their position and rating, and the perform-
14 ance of any research, study, and technical assistance that
15 does not interfere with the performance of the primary
16 duties of such department, agency, or instrumentality.

17 “(2) The Secretary may enter into contracts or other
18 arrangements with other Federal agencies and any other
19 qualified person for the purposes of carrying out this sec-
20 tion.”.

21 **SEC. 12. REVIEW OF PERFORMANCE.**

22 Section 312 (16 U.S.C. 1458) is amended by striking
23 “SEC. 312.” and all that follows through subsection (a)
24 and inserting the following:



1 “SEC. 312. (a) REVIEW.—No less than every 5 years,
2 the Secretary shall conduct a review of the performance
3 of a coastal State’s management program. Each review
4 shall include a written evaluation with an assessment and
5 detailed findings concerning the extent to which the State
6 has implemented and enforced the program approved by
7 the Secretary, met any outcome indicators established by
8 the Secretary under section 18 of the Coastal Resources
9 Conservation Act of 2001, and adhered to the terms of
10 any grant, loan, or cooperative agreement funded under
11 this title.”.

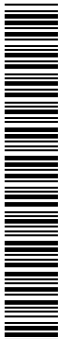
12 **SEC. 13. AMENDMENTS RELATING TO WALTER B. JONES**
13 **AWARDS FOR EXCELLENCE IN COASTAL**
14 **ZONE MANAGEMENT.**

15 Section 314 (16 U.S.C. 1460) is amended—

16 (1) by amending subsection (a) to read as fol-
17 lows:

18 “(a) AUTHORIZATION OF PROGRAM.—(1) The Sec-
19 retary may implement a program to promote excellence
20 in coastal zone management by identifying and making
21 awards acknowledging outstanding accomplishments in
22 the field of coastal zone management. An award under this
23 section shall be known as a ‘Walter B. Jones Award’.

24 “(2) Awards under this section may include, subject
25 to the availability of appropriations—



1 “(A) cash awards of not more than \$5,000
2 each;

3 “(B) research grants; and

4 “(C) public ceremonies to acknowledge accom-
5 plishments in the field of coastal zone manage-
6 ment.”;

7 (2) in subsection (b) in the matter preceding
8 paragraph (1), by striking “shall elect annually” and
9 inserting “may select annually for an award under
10 this section”; and

11 (3) by repealing subsection (e).

12 **SEC. 14. NATIONAL ESTUARINE RESERVE SYSTEM.**

13 Section 315 (16 U.S.C. 1461) is amended to read as
14 follows:

15 “NATIONAL ESTUARINE RESERVES

16 “SEC. 315. (a) ESTABLISHMENT OF THE SYSTEM.—

17 “(1) IN GENERAL.—There is established the
18 National Estuarine Reserve System. The System
19 shall consist of—

20 “(A) each component of the National Estu-
21 arine Research Reserve System established by
22 this section, as in effect immediately before the
23 enactment of the Coastal Community Conserva-
24 tion Act of 2001; and

25 “(B) each national estuarine reserve des-
26 ignated under this section.



1 “(2) PURPOSE.—The purpose of the System
2 and of each reserve is to improve the understanding,
3 stewardship, and management of coastal and estua-
4 rine resources.

5 “(3) DESIGNATION OF EXISTING SANCTUARIES
6 AS RESERVES.—Each component of the National Es-
7 tuarine Research Reserve System referred to in
8 paragraph (1)(A) is hereby designated as a national
9 estuarine reserve.

10 “(b) DESIGNATION OF NATIONAL ESTUARINE RE-
11 SERVES.—The Secretary may designate an area as a na-
12 tional estuarine reserve if—

13 “(1) the area—

14 “(A) includes any part or all of an estuary
15 and any island, transitional area, and upland
16 in, adjoining, or adjacent to the estuary; and

17 “(B) constitutes to the extent feasible a
18 natural unit;

19 “(2) the Government of the coastal State in
20 which the area is located nominates the area for that
21 designation; and

22 “(3) the Secretary finds that—

23 “(A) the area is a representative estuarine
24 ecosystem that is suitable for long-term re-



1 search and contributes to the biogeographical
2 and typological balance of the System;

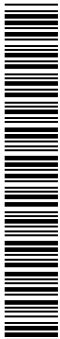
3 “(B) the law of the coastal State provides
4 long-term protection for reserve resources to en-
5 sure a stable environment for research, edu-
6 cation, and resource stewardship; and

7 “(C) designation of the area as a reserve
8 will serve to enhance public awareness and un-
9 derstanding of coastal and estuarine resources,
10 and provide suitable opportunities for edu-
11 cation, interpretation, training, and demonstra-
12 tion projects to improve management of coastal
13 and estuarine resources.

14 “(c) COASTAL AND ESTUARINE RESEARCH, EDU-
15 CATION, AND RESOURCE STEWARDSHIP GUIDELINES.—

16 “(1) IN GENERAL.—The Secretary shall develop
17 guidelines for the conduct of research, education,
18 and resource stewardship within the System that
19 shall include—

20 “(A) a mechanism for identifying, and es-
21 tablishing priorities among, the coastal and es-
22 tuarine management issues that should be ad-
23 dressed through coordinated research, edu-
24 cation, and resource stewardship within the
25 System;



1 “(B) the establishment of common prin-
2 ciples and objectives to guide the development
3 of research, education, and resource steward-
4 ship programs within the System;

5 “(C) the identification of uniform research
6 methodologies which will ensure comparability
7 of data, the broadest application of research re-
8 sults, and the maximum use of the System for
9 research purposes;

10 “(D) the establishment of performance
11 standards upon which the effectiveness of the
12 research, education, and resource stewardship
13 efforts and the value of reserves within the Sys-
14 tem in addressing the coastal and estuarine
15 management issues identified in subparagraph
16 (A) may be measured; and

17 “(E) the consideration of sources of funds
18 for coastal and estuarine research, education,
19 and resource stewardship in addition to the
20 funds authorized under this title, and strategies
21 for encouraging the use of such funds within
22 the System, with particular emphasis on mecha-
23 nisms established under subsection (d).

24 “(2) CONSULTATION.—In developing the guide-
25 lines under this section, the Secretary shall consult



1 with State representatives and prominent members
2 of the coastal and estuarine research, education, and
3 resource stewardship community.

4 “(d) PROMOTION AND COORDINATION OF COASTAL
5 AND ESTUARINE RESEARCH, EDUCATION, AND RE-
6 SOURCE STEWARDSHIP.—

7 “(1) IN GENERAL.—The Secretary shall take
8 such actions as are necessary to promote and coordi-
9 nate the use of the System for coastal and estuarine
10 research, education, and resource stewardship pur-
11 poses.

12 “(2) REQUIRED ACTIONS.—Actions under this
13 subsection shall include the following:

14 “(A) Requiring that research, education,
15 and resource stewardship activities adminis-
16 tered or supported by the Secretary and relat-
17 ing to coastal and estuarine resources give pri-
18 ority consideration to activities that use the
19 System.

20 “(B) Consulting with other Federal and
21 State agencies to promote use of one or more
22 reserves within the System by such agencies
23 when conducting coastal and estuarine research,
24 education, and resource stewardship activities.



1 “(C) Establishing partnerships with other
2 Federal and State coastal and estuarine man-
3 agement programs to coordinate and collaborate
4 on coastal and estuarine research, education,
5 and resource stewardship.

6 “(e) FINANCIAL ASSISTANCE.—

7 “(1) IN GENERAL.—The Secretary may, in ac-
8 cordance with such rules and regulations as the Sec-
9 retary shall promulgate, make grants—

10 “(A) to a coastal State—

11 “(i) for purposes of acquiring such
12 lands and waters, and any property inter-
13 ests therein, as are necessary to ensure the
14 appropriate long-term management of an
15 area as a reserve and constructing appro-
16 priate reserve facilities;

17 “(ii) for purposes of operating or
18 managing a reserve; or

19 “(iii) for purposes of conducting re-
20 source stewardship, educational, or inter-
21 pretive activities at a reserve; and

22 “(B) to any coastal State or public or pri-
23 vate person for purposes of—

24 “(i) supporting research and moni-
25 toring within a reserve that are consistent



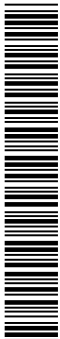
1 with the research guidelines developed
2 under subsection (c); or

3 “(ii) conducting educational, interpre-
4 tive, or training activities for a reserve that
5 are consistent with the education guide-
6 lines developed under subsection (c).

7 “(2) TERMS AND CONDITIONS.—Financial as-
8 sistance provided under paragraph (1) shall be sub-
9 ject to such terms and conditions as the Secretary
10 considers necessary or appropriate to protect the in-
11 terests of the United States, including requiring
12 coastal States to execute suitable title documents
13 setting forth the property interest or interests of the
14 United States in any lands and waters acquired in
15 whole or part with such financial assistance.

16 “(3) AMOUNT OF ASSISTANCE.—(A) The
17 amount of the financial assistance provided under
18 paragraph (1)(A)(i) with respect to the acquisition
19 of lands and waters, or interests therein, for any one
20 national estuarine reserve may not exceed an
21 amount equal to 50 percent of the costs of the lands,
22 waters, and interests therein.

23 “(B)(i) Except as provided in clause (ii), the
24 amount of the financial assistance provided under
25 paragraph (1)(A)(ii) and paragraph (1)(B) may not



1 exceed 70 percent in fiscal year 2003, 65 percent in
2 fiscal year 2004, 60 percent in fiscal year 2005, 55
3 percent in fiscal year 2006, and 50 percent in fiscal
4 year 2007 and thereafter, of the costs incurred to
5 achieve the purposes described in those paragraphs
6 with respect to a reserve.

7 “(ii) The amount of financial assistance pro-
8 vided for education and interpretive activities under
9 paragraph (1)(A)(iii) or research and monitoring ac-
10 tivities under paragraph (1)(B) may be up to 100
11 percent of any costs for activities that service the
12 System as a whole, including System-wide moni-
13 toring equipment acquisition, data management, and
14 data synthesis; administration and synthesis of Sys-
15 tem-wide research programs; and graduate research
16 fellowship programs.

17 “(C) Notwithstanding subparagraphs (A) and
18 (B), financial assistance under this subsection pro-
19 vided from amounts recovered as a result of damage
20 to natural resources located in the coastal zone may
21 be used to pay 100 percent of the costs of activities
22 carried out with the assistance.

23 “(4) DONATIONS.—(A) The Secretary may—

24 “(i) enter into cooperative agreements or
25 contracts with any nonprofit organization estab-



1 lished to benefit a reserve, authorizing the orga-
2 nization to solicit donations to carry out
3 projects, other than general administration of
4 the reserve or the System, that are consistent
5 with the purpose of the reserve and the System;
6 and

7 “(ii) accept donations of funds and services
8 for use in carrying out projects, other than gen-
9 eral administration of a reserve or the System,
10 that are consistent with the purpose of the re-
11 serve and the System.

12 “(B) Donations accepted under this paragraph
13 shall be considered as a gift or bequest to or for the
14 use of the United States for carrying out this sec-
15 tion.

16 “(f) EVALUATION OF SYSTEM PERFORMANCE.—

17 “(1) IN GENERAL.—The Secretary shall peri-
18 odically evaluate the operation and management of
19 each reserve, including coordination with State pro-
20 grams established under section 306, education and
21 interpretive activities, and the research being con-
22 ducted within the reserve.

23 “(2) SUSPENSION OF FINANCIAL ASSIST-
24 ANCE.—If evaluation under paragraph (1) reveals
25 that the operation and management of the reserve is



1 deficient, or that the research, education, or resource
2 stewardship being conducted within the reserve is
3 not consistent with the guidelines developed under
4 subsection (c), the Secretary may suspend the eligi-
5 bility of that reserve for financial assistance under
6 subsection (e) until the deficiency or inconsistency is
7 remedied.

8 “(3) WITHDRAWAL OF DESIGNATION.—The
9 Secretary may withdraw the designation of an estua-
10 rine area as a reserve if evaluation under paragraph
11 (1) reveals that—

12 “(A) the basis for any one or more of the
13 findings made under subsection (b)(3) regard-
14 ing that area no longer exists;

15 “(B) a substantial portion of the research,
16 education, or resource stewardship conducted
17 within the area, over a period of years, has not
18 been consistent with the guidelines developed
19 under subsection (c); or

20 “(C) the coastal State in which the area is
21 located has not complied with the requirements
22 of any guidelines developed under subsection
23 (c).

24 “(g) REPORT.—Every 2 years the Secretary shall re-
25 port to the Committee on Resources of the House of Rep-



1 representatives and the Committee on Commerce, Science,
2 and Transportation of the Senate information regarding—

3 “(1) the designation of new reserves;

4 “(2) the expansion of existing reserves;

5 “(3) the status of the research, education, and
6 resource stewardship program being conducted with-
7 in the System; and

8 “(4) a summary of the evaluations made under
9 subsection (f).

10 “(h) DEFINITIONS.—In this section:

11 “(1) RESERVE.—The term ‘reserve’ means a
12 component of the National Estuarine Reserve des-
13 ignated under subsection (a)(3) or (b).

14 “(2) SYSTEM.—The term ‘System’ means the
15 National Estuarine Reserve System established by
16 this section.”.

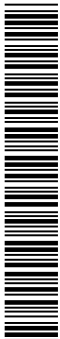
17 **SEC. 15. REPORTS.**

18 Section 316(a) (16 U.S.C. 1462(a)) is amended—

19 (1) in subsection (a)—

20 (A) by striking “to the President for trans-
21 mittal”; and

22 (B) in clause (10) by striking “and an
23 evaluation of the effectiveness of financial as-
24 sistance under section 308 in dealing with such
25 consequences”; and



1 (2) by amending subsection (c) to read as fol-
2 lows:

3 “(c) STATE OF THE COAST REPORT.—Not less than
4 24 months after the date of the enactment of this sub-
5 section, and not less than every 24 months thereafter, the
6 Secretary shall provide a coastal status report to the Con-
7 gress that includes the following:

8 “(1) An assessment of the ecological status and
9 trends of United States marine resources.

10 “(2) An identification and analysis of the
11 changes in those status and trends since the pre-
12 vious report.

13 “(3) An identification and assessment of Gov-
14 ernment performance measures that track the status
15 and trends of United States marine resources.

16 “(4) An evaluation of the adequacy of marine
17 resource monitoring and assessment programs.”.

18 **SEC. 16. AUTHORIZATION OF APPROPRIATIONS.**

19 Section 318 (16 U.S.C. 1464) is amended—

20 (1) in subsection (a) by striking paragraphs (1)
21 and (2) and inserting the following:

22 “(1) for grants under section 306—

23 “(A) \$70,000,000 for fiscal year 2003;

24 “(B) \$71,000,000 for fiscal year 2004;

25 “(C) \$72,000,000 for fiscal year 2005;



1 “(D) \$73,000,000 for fiscal year 2006;

2 and

3 “(E) \$74,000,000 for fiscal year 2007;

4 “(2) for grants under section 306A—

5 “(A) \$30,000,000 for fiscal year 2003;

6 “(B) \$35,000,000 for fiscal year 2004;

7 “(C) \$40,000,000 for fiscal year 2005;

8 “(D) \$45,000,000 for fiscal year 2006;

9 and

10 “(E) \$50,000,000 for fiscal year 2007;

11 “(3) to carry out section 310—

12 “(A) \$28,000,000 for fiscal year 2003;

13 “(B) \$29,000,000 for fiscal year 2004; and

14 “(C) \$30,000,000 for each of fiscal years

15 2005 through 2007;

16 “(4) for expenses incidental to the administra-

17 tion of this title and for awards under section 314,

18 \$6,500,000 for each of fiscal years 2003, 2004,

19 2005, 2006, and 2007; and

20 “(5) for grants under section 315—

21 “(A) \$35,000,000 for fiscal year 2003;

22 “(B) \$36,000,000 for fiscal year 2004;

23 “(C) \$37,000,000 for fiscal year 2005;

24 “(D) \$38,000,000 for fiscal year 2006;

25 and



1 “(E) \$39,000,000 for fiscal year 2007”;

2 (2) in subsection (b), by striking “or 309” and
3 inserting “or 306A”;

4 (3) in subsection (c)—

5 (A) in the first sentence by striking “dur-
6 ing the fiscal year, or during the second fiscal
7 year after the fiscal year, for which” and insert-
8 ing “within 3 years”; and

9 (B) in the second sentence by striking
10 “under the section for such reverted amount
11 was originally made available.” and inserting
12 “to States under this title.”; and

13 (4) by adding at the end thereof the following:

14 “(d) RESTRICTION ON USE OF AMOUNTS FOR PRO-
15 GRAM, ADMINISTRATIVE, OR OVERHEAD COSTS.—Except
16 for funds appropriated under subsection (a)(3), amounts
17 appropriated under this section shall be available only for
18 grants to States and shall not be available for other pro-
19 gram, administrative, or overhead costs of the National
20 Oceanic and Atmospheric Administration or the Depart-
21 ment of Commerce.

22 “(e) FUNDING OF COASTAL NONPOINT POLLUTION
23 CONTROL PROGRAMS.—The Secretary shall ensure that of
24 the funds provided under paragraphs (1) and (2) of sub-
25 section (a), no less than \$10,000,000 or 14 percent,



1 whichever is greater, is expended to implement State
2 coastal nonpoint pollution control programs as submitted,
3 or, upon approval, as approved under section 6217(c) of
4 the Coastal Zone Reauthorization Amendments of 1990
5 (16 U.S.C. 1455b(c)).

6 “(f) LIMITATION ON GRANTS FOR ACQUISITION AND
7 CONSTRUCTION FOR RESERVES.—The Secretary shall en-
8 sure that of the funds provided under paragraph (5) of
9 subsection (a), no more than \$15,000,000 is used for as-
10 sistance under section 315(e)(1)(A)(i).”.

11 **SEC. 17. TECHNICAL CORRECTIONS.**

12 The Coastal Zone Management Act of 1972 is
13 amended—

14 (1) in section 304(5) (16 U.S.C. 1453(5)) by
15 striking the semicolon and inserting a colon;

16 (2) in section 306(a), as redesignated by this
17 Act, in paragraph (10)(A) by inserting a comma
18 after “development”;

19 (3) by striking “coastal state” each place it ap-
20 pears and inserting “coastal State”;

21 (4) by striking “coastal states” each place it
22 appears and inserting “coastal States”;

23 (5) by striking “coastal state’s” each place it
24 appears and inserting “coastal State’s”;



1 (6) by striking the term “state” each place it
2 appears in reference to a State of the United States
3 (other than in the term “coastal state”) and insert-
4 ing “State”;

5 (7) by striking the term “states” each place it
6 appears in reference to States of the United States
7 (other than in the term “coastal states”) and insert-
8 ing “States”; and

9 (8) by striking the term “state’s” each place it
10 appears in reference to a State of the United States
11 (other than in the term “coastal state’s”) and in-
12 serting “State’s”.

13 **SEC. 18. COASTAL ZONE MANAGEMENT OUTCOME INDICA-**
14 **TORS AND MONITORING AND PERFORMANCE**
15 **EVALUATION SYSTEM.**

16 (a) IN GENERAL.—The Secretary of Commerce
17 shall—

18 (1) by not later than 1 year after the date of
19 enactment of this Act, submit to the Committee on
20 Resources of the House of Representatives a com-
21 mon set of measurable outcome indicators to evalu-
22 ate the effectiveness of State coastal zone manage-
23 ment programs in the achievement of the national
24 policy declared in section 303 of the Coastal Zone
25 Management Act of 1972 (16 U.S.C. 1452); and



1 (2) by not later than 3 years after such date,
2 establish a national coastal zone management out-
3 come monitoring and performance evaluation system
4 using the common set of indicators prepared under
5 paragraph (1).

6 (b) CONSULTATION.—

7 (1) IN GENERAL.—In preparing each report
8 under subsection (a), the Secretary shall consult
9 with and provide a copy of the draft report to each
10 coastal State, through the Governor of the State or
11 the head of the State agency designated by such
12 Governor pursuant to section 306(d)(6) of the
13 Coastal Zone Management Act of 1972 (16 U.S.C.
14 1455(d)(6)).

15 (2) STATE COMMENTS.—The Secretary shall in-
16 clude in each final report any comments on the draft
17 report received from such a Governor or the head of
18 such a State agency.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—To carry
20 out this section there are authorized to be appropriated
21 to the Secretary of Commerce \$1,000,000 for each of fis-
22 cal years 2003, 2004, 2005, and 2006.

